

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CEMENT AND CONCRETE WORKERS
DISTRICT COUNCIL WELFARE FUND *et al.*,

ORDER

Plaintiffs,

06-CV-3586 (NGG)(RER)

- against -

GOLDEN VALE CONSTRUCTION CORP.,

Defendant.
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GARAUFIS, United States District Judge.

Upon application by the plaintiffs, the Clerk of the Court entered default judgment against the defendant on October 31, 2006. (See Docket Entry 6.) On January 3, 2007, this court referred Plaintiff's request for damages and attorney's fees and costs to Magistrate Judge Ramon E. Reyes. On March 28, 2007, Judge Reyes issued a Report and Recommendation (R&R) recommending that Plaintiffs be awarded \$1,142,179.13 in statutory damages and \$3,500 in attorneys' fees, and denying Plaintiff's request for \$440 in costs. No party has filed objections to the R&R.

In reviewing an R&R, this court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). In order to accept a Magistrate Judge's R&R where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F. Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991) (court may accept report if it is "not facially erroneous").

The R&R is comprehensive and extremely well-reasoned. The court finds no clear error in the R&R and therefore adopts the R&R for the reasons stated therein. Plaintiffs' motion for statutory damages and attorneys' fees is hereby GRANTED as detailed above.

SO ORDERED.

Dated: April 16, 2007
Brooklyn, N.Y.

/signed/

/ Nicholas G. Garaufis
United States District Judge